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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/003,062	11/02/2001	Rob E. Vogelaar	010579	4927

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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EXAMINER

RAO, ANAND SHASHIKANT

ART UNIT	PAPER NUMBER
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2613

DATE MAILED: 12/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/003,062	Applicant(s) VOGELAAR ET AL	
	Examiner Andy S. Rao	Art Unit 2613	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 8/30/05.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 8-12 and 16-18 is/are rejected.
- 7) ☒ Claim(s) 5-7, 13-15, 19 and 20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submissions filed on 8/16/05 and 8/30/05 have been entered.
2. Applicant's arguments with respect to claims 1-4, 8-12, and 16-20 as filed on 8/16/05 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an

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international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-4, 8-12, 16-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Chen et al., (hereinafter referred to as "Chen").

Chen discloses an apparatus capable of processing a multimedia digital bitstream (Chen: figure 2), said apparatus comprising: a processing chain comprising a plurality of N media processors (Chen: column 6, lines 10-20) wherein each of said plurality of media processors is capable of processing a portion of said multimedia digital bitstream (Chen: column 1, lines 10-25), wherein said portion represents $(1/N)$ th interleaved portion of the bitstream (Chen: column 9, lines 1-55) each of said plurality of media processors is capable of splitting said portion of said multimedia digital bitstream into a primary bitstream and a secondary bitstream (Chen: column 6, lines 50-65), and capable of processing said primary bitstream, and capable of merging a processed primary bitstream with said secondary bitstream (Chen: column 4, lines 55-65) as in claim 1.

Regarding claim 2, Chen discloses wherein the number of said plurality of media processors may vary from two to N, where N is an integer number greater than two (Chen: column 4, lines 1-15), as specified.

Regarding claim 3, Chen discloses multimedia digital bitstream comprises a high definition digital video signal (Chen: column 14, lines 15-23), as in the claim.

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Regarding claim 4, Chen discloses that each media processors comprises a bitrate transcoder unit capable of transcoding a portion of said multimedia digital bitstream (Chen: column 6, lines 30-40), as in the claim.

Regarding claim 8, Chen discloses said processing chain further comprises: an input block coupled to a first media processor in said processing chain (Chen: column 6, lines 1-12), wherein said input block is capable of receiving multimedia data in real time (Chen: column 1, lines 50-60) from one of: a computer file (Chen: column 5, lines 10-15), a bitmap, and a radio frequency front end (Chen: column 1, lines 10-25); and an output block coupled to a last media processor in said processing chain (Chen: column 6, lines 20-24), wherein said output block is capable of outputting multimedia data in real time in one of: a computer file format, and a transport stream format (Chen: column 5, lines 50-55), as in the claim .

Chen discloses a television unit comprising an apparatus capable of processing a multimedia digital bitstream (Chen: column 1, lines 10-15), said apparatus comprising: a processing chain comprising a plurality of N media processors (Chen: column 6, lines 10-20) wherein each of said plurality of media processors is capable of processing a portion of said multimedia digital bitstream (Chen: column 1, lines 10-25), wherein said portion represents (1/N)th interleaved portion of the bitstream (Chen: column 9, lines 1-55) each of said plurality of media processors is capable of splitting said portion of said multimedia digital bitstream into a primary bitstream and a secondary bitstream (Chen: column 6, lines 50-65), and capable of processing said primary bitstream, and capable of merging a processed primary bitstream with said secondary bitstream (Chen: column 4, lines 55-65) as in claim 9.

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Regarding claim 10, Chen discloses wherein the number of said plurality of media processors may vary from two to N, where N is an integer number greater than two (Chen: column 4, lines 1-15), as specified.

Regarding claim 11, Chen discloses multimedia digital bitstream comprises a high definition digital video signal (Chen: column 14, lines 15-23), as in the claim.

Regarding claim 12, Chen discloses that each media processors comprises a bitrate transcoder unit capable of transcoding a portion of said multimedia digital bitstream (Chen: column 6, lines 30-40), as in the claim.

Regarding claim 16, Chen discloses said processing chain further comprises: an input block coupled to a first media processor in said processing chain (Chen: column 6, lines 1-12), wherein said input block is capable of receiving multimedia data in real time (Chen: column 1, lines 50-60) from one of: a computer file (Chen: column 5, lines 10-15), a bitmap, and a radio frequency front end (Chen: column 1, lines 10-25); and an output block coupled to a last media processor in said processing chain (Chen: column 6, lines 20-24), wherein said output block is capable of outputting multimedia data in real time in one of: a computer file format, and a transport stream format (Chen: column 5, lines 50-55), as in the claim.

Chen discloses a method for processing a multimedia digital bitstream (Chen: figure 7) comprising the steps of: processing a portion of said multimedia digital bitstream in each of a plurality of N media processors of a processing chain (Chen: column 6, lines 10-20), wherein said portion represents $(1/N)$ th interleaved portion of the bitstream (Chen: column 1, lines 10-25), each of said plurality of media processors executing the steps: splitting said an associated portion of said multimedia digital bitstream into a primary bitstream and a secondary bitstream

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(Chen: column 6, lines 50-65); processing said primary bitstream; and merging a processed primary bitstream with said secondary bitstream (Chen: column 4, lines 55-65), as in claim 17.

Regarding claim 18, Chen discloses wherein the step of processing said primary bitstream comprises the step of: transcoding said primary bitstream (Chen: column 6, lines 30-40) in a bitrate transcoder unit (Chen: column 7, lines 1-15), as in the claim.

Allowable Subject Matter

4. Claims 5-7, 13-15, 19 and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The elements of the claims were not found nor considered obvious by the Examiner. In particular, the BRT' transcoder is defined in the specification as a transcoder capable of transcoding the primary stream as a subset of the original stream (i.e. in the example given in the current specification, every third slice of the original stream, is processes in each of the three processing stages of the chain. Accordingly, if the claims are amended as indicated above, and rejected claims 1-4, 8-12, 16-18 were canceled, the application would be placed in a condition for allowance.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andy S. Rao whose telephone number is (571)-272-7337. The examiner can normally be reached on Monday-Friday 8 hours.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on (571)-272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

asr
December 6, 2005

Andy S. Rao
Primary Examiner
Art Unit 2613

ANDY RAO
PRIMARY EXAMINER